

REMARKS/ARGUMENTS

1. Interview: The Applicant thanks the Examiner for her courtesy and consideration in discussing this Application in a telephone interview on September 28, 2005. As interviews after final are discretionary, the Applicant especially appreciates the opportunity. The claims, as amended, were discussed. Although no specific agreement was consummated, there were areas of significant accord. The following Amendment is believed to address the concerns raised in the interview.

2. Amendments: Claims 1, 12, and 17 are amended, and are the independent claims. Therefore, claims 1-5 and 8-22 are present for examination. Specifically, the claims are amended to 1) make clear that the instructions at issue are *machine code* instructions, and 2) the value produced by the compare instruction has at least *four* states.

The Office rejected claims 1, 3, 5, 8-9, 11-14, 16-18, and 20-22 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of the *Computer Organization and Design: The Hardware/Software Interface* to John L. Hennessy and David A. Patterson (hereinafter "Hennessy") in view of the cited portions of *The C Programming Language* to Brian W. Kernighan and Dennis M. Ritchie (hereinafter "Kernighan"). The Office Action has rejected claims 2, 4, 10, 15 and 19 under 35 U.S.C. §103(a) as being unpatentable over the cited portions of the Hennessy in view of the cited portions of Kernighan and further in view of the cited portions of U.S. Patent No. 4,833,599 to Colwell et al. (hereinafter "Colwell"). The claims are amended to address these issues, and the Applicant respectfully requests reconsideration of this Application for the following reasons:

Machine Code: In the Advisory Action dated September 19, 2005 ("Advisory Action"), the Office states that "[t]here is nothing in the claim language that states that the compare instruction is a machine level instruction." Claims 1, 12, and 17 are amended to more clearly state the claimed embodiments and address this issue.

Four States: In light of the discussion undertaken as part of interview of September 28, 2005, claims 1, 12, and 17 are amended to provide that the value produced by the compare instruction has at least *four* states. This amendment is intended to directly address the

concerns raised by the Examiner in the interview, and is clearly supported by the original Specification (Original Application, p. 11, ll. 1-15).

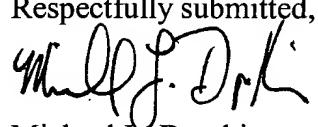
§ 112 Issues: In the Advisory Action, the Office declined to enter amendments to claim 1 submitted after final because they "do not reduce issues for appeal" (Advisory Action, p. 2). In light of the discussion undertaken as part of interview of September 28, 2005, claim 1 is amended to address this issue.

Claims 1, 12, and 17 are allowable for at least the foregoing reasons. Claims 2-5, 8-11, 13-16, and 18-22 each depend from the independent claims, and these claims are believed allowable for at least the same reasons as given above.

CONCLUSION

In view of the foregoing, the Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,

Michael L. Drapkin
Reg. No. 55,127

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 303-571-4000
Fax: 415-576-0300
MLD:klb
60594608 v1